

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**FILED  
SCRANTON**

SEP 14 2012

PER   
DEPUTY CLERK

**THOMAS RIVERS**

**Petitioner**

**v.**

**JAMES MCGRADY, et al.**

**Respondents**

**3:12-cv-0195  
(JUDGE MARIANI)**

**ORDER**

On February 1, 2012, Petitioner Thomas Rivers ("Petitioner" or "Rivers"), an inmate at the State Correctional Institution at Retreat, Hunlock Creek, Pennsylvania, proceeding *pro se*, filed a Petition for Writ of Habeas Corpus, pursuant to 28 U.S.C. 2254. Petitioner raised two grounds for relief: (1) a failure of the Pennsylvania Board of Probation and Parole (PBPP) to appropriately credit Petitioner the full time he was in custody on a new charge and under the PBPP's warrant, and (2) that the PBPP lacked the authority to extend a judicially imposed maximum release date from November 11, 2009 to August 15, 2015.

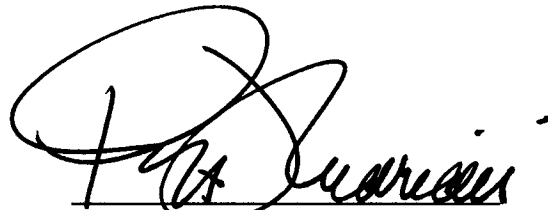
Respondents argued that Petitioner's request for relief is: (1) barred by the statute of limitations imposed by 28 U.S.C. § 2254; (2) procedurally defaulted; and (3) lacking in any substantive merit.

On August 10, 2012, Magistrate Judge Thomas M. Blewitt issued a Report and Recommendation (Doc. 15), in which he addressed these issues. Neither Petitioner nor Respondents filed any objections. Following an exhaustive review of the record in this case,

including the Report and Recommendation filed by Judge Blewitt, the Court is satisfied that the Petition for Writ of Habeas Corpus of Thomas Rivers should be dismissed for all of the reasons set forth in Judge Blewitt's Report and Recommendation (Doc. 15).

**AND NOW, THIS 11th DAY OF SEPTEMBER, 2012, IT IS HEREBY ORDERED:**

1. Magistrate Judge Thomas M. Blewitt's Report and Recommendation of August 10, 2012 (Doc. 15) is **ADOPTED**.
2. Petitioner's Petition for Writ of Habeas Corpus (Doc. 1) is **DISMISSED**.
3. The Clerk of the Court is directed to **CLOSE** the case.

A handwritten signature in black ink, appearing to read "Robert D. Mariani", is written over a horizontal line.

Robert D. Mariani  
United States District Judge